

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON JUDICIARY**

**Call to Order:** By Chairman Diane Rice, on March 20, 2007 at 8:00 A.M., in Room 137 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Diane Rice, Chairman (R)  
Rep. Dave Gallik, Vice Chairman (D)  
Rep. Ron Stoker, Vice Chairman (R)  
Rep. Douglas Cordier (D)  
Rep. Robyn Driscoll (D)  
Rep. Bob Ebinger (D)  
Rep. George Everett (R)  
Rep. Julie French (D)  
Rep. Rick Jore (C)  
Rep. Krayton Kerns (R)  
Rep. Roger Koopman (R)  
Rep. Deborah Kottel (D)  
Rep. Tom McGillvray (R)  
Rep. Jesse O'Hara (R)  
Rep. Ken Peterson (R)  
Rep. Holly Raser (D)  
Rep. John Ward (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** David Niss, Legislative Branch  
Pam Schindler, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 382, SB 383, SB 96, SB 169, SB  
170, SB 177, 3/13/2007  
Executive Action: None

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**HEARING ON SB 177**

**Opening Statement by Sponsor:**

00:01:15 Sen. Carolyn Squires (D), SD 48, opened the hearing on SB 177, Extend time for challenging agency actions.

**Proponents' Testimony:**

00:07:56 Linda Gryczan, League of Women Voters

00:08:36 John Barrows, Executive Director, Montana Newspaper Association

00:10:04 Ann Brodsky, Legal Counsel, Governor Schweitzer Office

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:11:33 Rep. O'Hara

00:11:54 Sen. Squires

00:14:13 Rep. Koopman

00:15:51 Sen. Squires

00:16:53 Rep. Rice

00:16:57 Sen. Squires

00:19:12 Rep. Stoker

**Closing by Sponsor:**

00:20:46 Sen. Squires

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**HEARING ON SB 169**

**Opening Statement by Sponsor:**

00:22:27 Sen. Jesse Laslovich (D), SD 43, opened the hearing on SB 169, Adjust local government basic entitlement share for public defender costs.

**Proponents' Testimony:**

00:24:53 Bill Kennedy, Yellowstone County Commissioner, Montana Association of Counties

00:25:52 Gordon Morris, Lewis and Clark County

00:26:18 Linda Stoll, Missoula County

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:26:53 Rep. Stoker  
00:27:23 Mr. Kennedy  
00:27:38 Rep. Peterson  
00:28:07 Mr. Kennedy

**Closing by Sponsor:**

00:28:35 Sen. Laslovich

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**HEARING ON SB 382**

**Opening Statement by Sponsor:**

00:29:38 Sen. Jesse Laslovich (D), SD 43, opened the hearing on SB 382, Establish mental health courts.

**Proponents' Testimony:**

00:35:00 John Larson, Trial Judge, Missoula and Mineral Counties, Missoula, Montana

[EXHIBIT\(juh59a01\)](#)

[EXHIBIT\(juh59a02\)](#)

[EXHIBIT\(juh59a03\)](#)

00:40:28 Bill Kennedy, Yellowstone County Commissioner, Chair, Health and Human Services Committee, Montana Association of Counties

00:44:16 Tracey Velasquez, Executive Director, Montana Mental Health Association

00:50:03 Pam Bunke, Adult Community Services Director, Department of Public Health and Human Services, State of Montana

00:51:34 Pat Melby, Montana Medical Association, Rimrock Foundation, also for Beda Lovitt, Montana Psychiatric Association

00:52:58 Anita Rossmann, Montana Advocacy Program

[EXHIBIT\(juh59a04\)](#)

[EXHIBIT\(juh59a05\)](#)

00:57:06 Scott Crichton, ACLU

00:58:40 Gloria Hermanson, Montana Licensed Mental Health Counselors

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:59:18 Rep. Peterson  
01:00:01 Judge Larson  
01:06:05 Rep. Koopman  
01:06:38 Ms. Velasquez  
01:12:54 Ms. Bunke  
01:17:08 Rep. Rice  
01:17:26 Judge Larson  
01:21:22 Rep. Stoker  
01:22:15 Judge Larson

**Closing by Sponsor:**

01:23:18 Sen. Laslovich

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**HEARING ON SB 383**

**Opening Statement by Sponsor:**

01:30:33 Sen. Jesse Laslovich (D), SD 43, opened the hearing on  
SB 383, revise property laws.

**[EXHIBIT\(juh59a06\)](#)**

**Proponents' Testimony:**

01:39:20 Chuck Willey, Professor-Real Estate Transactions, Law  
School, University of Montana, Missoula, Montana

**[EXHIBIT\(juh59a07\)](#)**

01:56:33 Amy Grmoljez, Montana Bankers Association

01:57:52 Mike Kleese, First American Title Insurance Company of  
Montana, Montana Land Title Association

**Opponents' Testimony:**

02:05:03 Robert Sewell, Legislative Liaison, Montana Land Title  
Association

**[EXHIBIT\(juh59a08\)](#)**

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:10:15 Rep. Peterson  
02:11:13 Mr. Kleese  
02:11:42 Prof. Willey  
02:18:49 Rep. Stoker  
02:19:16 Mr. Kleese  
02:21:43 Rep. Kottel  
02:22:15 Prof. Willey  
02:27:19 Rep. Peterson  
02:27:41 Prof. Willey

**Closing by Sponsor:**

02:34:38 Sen. Laslovich

02:37:36 Break  
02:50:14 Reconvene

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**HEARING ON SB 170**

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**Opening Statement by Sponsor:**

02:50:36 Sen. Gary Perry (R), SD 35, opened the hearing on SB 170, Extend domestic violence review commission.

**Proponents' Testimony:**

02:51:46 Ali Bovington, Assistant Attorney General, Department of Justice, State of Montana

[EXHIBIT\(juh59a09\)](#)

02:53:58 Jennifer Hill-Hart, Montana Coalition Against of Domestic and Sexual Violence

02:55:05 Matthew Hale, Coordinator, Montana Domestic Violence Fatality Review Commission

[EXHIBIT\(juh59a10\)](#)

02:59:31 Ann Brodsky, Legal Counsel, Governor Schweitzer's Office

**Opponents' Testimony:**

**Informational Testimony:**

**Questions from Committee Members and Responses:**

03:01:39 Rep. Peterson  
 03:02:18 Mr. Dale  
 03:05:06 Rep. Everett  
 03:05:25 Mr. Dale  
 03:07:44 Rep. McGillvray  
 03:08:18 Mr. Dale  
 03:12:11 Rep. Stoker  
 03:12:18 Mr. Dale  
 03:13:11 Rep. French  
 03:13:45 Mr. Dale  
 03:16:37 Rep. McGillvray  
 03:17:14 Mr. Dale

**Closing by Sponsor:**

03:20:13 Sen. Perry

**HEARING ON SB 96**

**Opening Statement by Sponsor:**

03:25:11 Sen. Carol Williams (D), SD 46, opened the hearing on SB 96, Generally revise initiative and referendum process.

[EXHIBIT\(juh59a11\)](#)

[EXHIBIT\(juh59a12\)](#)

**Proponents' Testimony:**

03:28:59 Brad Johnson, Secretary of State, State of Montana  
 03:31:09 Mike McGrath, Attorney General (AG), State of Montana  
[EXHIBIT\(juh59a13\)](#)  
 03:42:12 Brad Griffin, Montana Restaurant Association  
 03:43:52 Rhonda Wiggers, Enviromantics  
 03:49:00 Jason Miller, Montana State AFL-CIO  
 03:49:33 Jackie Boyle, AARP-Montana  
 03:50:59 Elizabeth Andrews, Montana Common Cause  
 03:51:51 Don Judge, Teamsters Local #190  
 03:53:06 Jim Ahrens, Chairman, Alliance for Healthy Montanans

**Opponents' Testimony:**

03:54:02 Travis Butcher, Montanans in Action  
 04:05:59 Mark Mackin, self  
[EXHIBIT\(juh59a14\)](#)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

04:08:39 Rep. Kottel  
04:09:31 AG McGrath  
04:09:59 Rep. Stoker  
04:10:13 AG McGrath  
04:10:41 Rep. Koopman  
04:12:05 AG McGrath  
04:16:49 Rep. Koopman  
04:17:50 Mr. Butcher  
04:19:43 Rep. Peterson  
04:20:21 AG McGrath  
04:21:51 Rep. Gallik  
04:22:27 AG McGrath

**Closing by Sponsor:**

04:22:43 Sen. Williams

**ADJOURNMENT**

Adjournment: 12:26 P.M.

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REP. DIANE RICE, Chairman

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PAM SCHINDLER, Secretary

DR/ps

Additional Exhibits:

**EXHIBIT ([juh59aad.pdf](#))**